

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MASSACHUSETTS

Civil Action No. 04-12101 NG

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)  
**GAYLE L. BAILEY,** )  
Plaintiff )  
)  
vs. )  
)  
**UNITED STATES OF AMERICA,** )  
Defendants. )  
)

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**CERTIFICATION PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Local Rule 16.1(D)(3), the undersigned hereby certify that counsel for the plaintiff Maria Murber and the Plaintiff, Gayle L. Bailey, have conferred regarding the matters described in Local Rule 16.1(D)(3)(a) and (b).

/s/ Maria Murber  
Maria Murber  
Attorney for the Plaintiff

/s/ Gayle L. Bailey  
Gayle L. Bailey,  
Plaintiff

Dated: October 18, 2005